

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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JAMES CONTANT, et al.,

Plaintiffs,

-against-

BANK OF AMERICA CORPORATION, et al.,

Defendants. X

17 Civ. 3139 (LGS)

ORDER

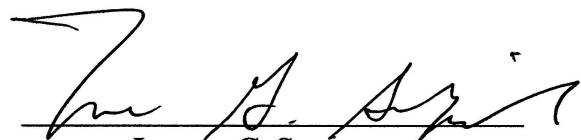
LORNA G. SCHOFIELD, District Judge:

WHEREAS, by letter to Chambers dated August 2, 2019, Plaintiffs sought leave to file their proposed Third Consolidated Class Action Complaint in redacted form. It is hereby

ORDERED that Plaintiffs' request is **GRANTED**. Plaintiffs shall file their proposed Third Consolidated Class Action Complaint in redacted form on ECF and in unredacted form under seal. Although "[t]he common law right of public access to judicial documents is firmly rooted in our nation's history," this right is not absolute, and courts "must balance competing considerations against" the presumption of access. *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119–20 (2d Cir. 2006) (internal quotation marks omitted); *see also Nixon v. Warner Commc'ns., Inc.*, 435 U.S. 589, 599 (1978) ("[T]he decision as to access is one best left to the sound discretion of the trial court, a discretion to be exercised in light of the relevant facts and circumstances of the particular case."). Filing the Third Consolidated Class Action Complaint in redacted form is warranted in light of the Department of Justice's request, in the related case, that the content of bank chats be redacted on a temporary basis. *See In re Foreign Exchange Benchmark Rates Antitrust Litig.*, No. 13 Civ. 7789 at Dkt. No. 460. It is further

ORDERED that on October 2, 2019, and every sixty days thereafter, Plaintiffs shall confer with the Department of Justice and shall file a letter on ECF advising whether the redactions approved in this Order continue to be necessary.

Dated: August 2, 2019
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE